

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
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Review of Part 87 of the Commission's Rules Concerning the Aviation Radio Service)	WT Docket No. 01-289
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To the Commission:

Comments from Nickolaus E. Leggett, Pilot, Analyst, and Inventor

I am a licensed private pilot of single-engine airplanes, gliders (sailplanes) and a commercial pilot of hot air balloons.

I am a certified electronics technician (ISCET and iNARTE) and an Extra Class amateur radio operator (call sign N3NL). I hold an FCC General Radiotelephone Operator License with a Ship Radar Endorsement. I am an inventor holding three U.S. Patents. My latest patent is a wireless bus for digital devices and computers (U.S. Patent # 6,771,935). I have a Master of Arts degree in Political Science from the Johns Hopkins University.

I am one of the original petitioners for the establishment of the Low Power FM (LPFM) radio broadcasting service (RM-9208 July 7, 1997 subsequently included in MM Docket 99-25). I am also one of the petitioners in the docket to establish a low power radio service on the AM broadcast band (RM-11287). I have filed a total of over 200 formal comments with the FCC over the years since the 1970s. I have filed comments with other Federal agencies as well including the FAA, FERC, EPA, and the TSA.

My Comments

My comments are focused on the Commission's Third Further Notice of Proposed Rule Making (Third FNPRM) that was adopted by the Commission on January 7, 2013 and released on January 8, 2013.

Procedural Recommendation

This docket includes important aviation issues along with radio technology issues. Because of this situation, this docket should be restructured as a joint effort of the Federal Aviation Administration (FAA) working with the Commission on this subject of emergency locator transmitters (ELTs). The Commission lacks aviation expertise that is needed for a constructive solution of the phase out of 121.5 MHz ELTs. Bringing in formal FAA participation would make up for this lack of aviation expertise while making use of the Commission's radio technology expertise.

A Major Issue with Emergency Locator Transmitters

From an aviation standpoint, it is important to note that the importance of ELTs depends on where you fly. If you are flying over the vast forests of Alaska, you definitely need a modern ELT that operates on 406 MHz with satellite monitoring. In contrast, if you are flying over the agricultural fields of Pennsylvania, having a modern ELT is less important. In this situation, an older 121.5 MHz ELT is perfectly serviceable for general aviation operation.

For this reason, I propose that the manufacturing and sale of the 121.5 MHz ELTs should be allowed to continue and that aviators should be given the choice to use them in their general aviation airplanes. Trust our pilots to make the right decisions about the use of 121.5 MHz ELTs.

Respectfully submitted,

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